



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
3040 Biddle Road  
Medford, Oregon 97504  
email address: or110mb@or.blm.gov



IN REPLY REFER TO:

1614(OR115)  
OR115-0301 - Flounce Around Timber Sale

**AUG 25 2006**

Dear Sir or Madam:

Attached are the Finding of No Significant Impact (FONSI) and Decision Record for the *Flounce Around Environmental Assessment*. In accordance with Bureau of Land Management (BLM) Forest Management Regulations, 43 Code of Federal Regulations 5003, a protest must be filed with the Medford District Office within 15 days of the date of publication of the legal notice of sale for the Flounce Around Timber Sale. Due to the uncertainty of the electronic mail system, if filing an electronic protest, a hard copy of the protest should also be mailed or hand delivered to the Medford District BLM. The announcement of the Flounce Around Timber Sale was published August 24, 2006, in the *Medford Mail Tribune*.

If you have any questions, please call Jean Williams, at (541) 618-2385, or John Bergin, at (541) 618-2265. Written comments may be sent to Bureau of Land Management, 3040 Biddle Road, Medford Oregon, 97504 or e-mailed to **Medford\_mail@blm.gov** (be sure to include "Attention: Jean Williams or John Bergin").

Sincerely,

Christopher J. McAlear  
Field Manager  
Butte Falls Resource Area

1 – Attachment

1 – FONSI / Decision Record Flounce Around Timber Sale (3pp)

## **Decision Record and Finding of No Significant Impacts (FONSI) for Flounce Around Environmental Assessment EA #OR-115-03-01**

### **Background**

The *Flounce Around Environmental Assessment* (EA) analyzed proposed timber harvest in the Lost Creek and Lower Big Butte Creek watersheds. The analysis area, 21,380 acres, contains a mix of ownerships – 7,952 acres (37%) BLM-administered land; 8,070 acres (38%) industrial forest land; 2,965 acres (14%) Army Corps of Engineers land; and 2,393 acres (11%) State, private, and National Forest lands.

The EA analyzed the following harvest treatments on 503 acres of BLM-administered land: structural retention (12 acres), modified even-aged regeneration (6 acres), selection harvest (139 acres), and density management (346 acres). The EA also looked at possible road projects: improve or renovate (28 miles), temporary or seasonal closures (4 miles), partial decommission (1 mile), full decommission (0.5 miles), and temporary operator spur road construction (2.6 miles). Timber harvest is proposed to occur on Matrix lands, as designated in the *Medford District Record of Decision and Resource Management Plan* (RMP), p.38-40. The Flounce Around Timber Sale will contribute to the Medford District BLM annual sale quantity goals established in the RMP (p.73).

The legal notice for public comment on the EA was published in the *Medford Mail Tribune* and *Upper Rogue Independent* on October 2, 2003. The publishing of that notice started a 30-day public comment period. One comment letter was received.

In 2005, as a result of *Gifford Pinchot Task Force et al v USFWS* (August 2004), the U.S. Fish and Wildlife Service (USFWS) requested the BLM to reinitiate consultation on the northern spotted owl critical habitat portion of the remaining Fiscal Years 2004-2008 sale plan to better evaluate critical habitat concerns. The BLM agreed to stop any further sales in northern spotted owl critical habitat until reconsultation on those actions occurred.

The court ruling in *Gifford Pinchot Task Force v USFWS* created uncertainty as to whether harvest would be allowed in the northern spotted owl critical habitat unit included in this timber sale. Consequently, the BLM decided to analyze an alternative in the 2005 *Flounce Around Timber Sale EA* (EA #OR-115-05-08) that would address this uncertainty. The 2005 *Flounce Around Timber Sale EA* analysis was based on the same information presented in this EA. The selected alternative for the 2005 EA did not include harvest units within northern spotted owl critical habitat. The 2005 Flounce Around Timber Sale was offered for sale on four occasions but received no bids because of the low volume and high logging cost.

In 2006, the BLM, along with the Forest Service, prepared a Biological Assessment (BA) to evaluate impacts to northern spotted owl critical habitat and to reinitiate consultation on all unsold acres in the Fiscal Year 2006-2008 timber sale plan. The BLM and Forest Service Level 1 Streamlining Process ensured that mandatory terms and conditions to reduce impacts to listed

species were incorporated into project designs as Project Design Criteria. On August 21, 2006, an opinion issued by the USFWS to the BLM concluded these projects, including the Flounce Around Timber Sale, will not jeopardize or adversely modify critical habitat. The BLM is implementing all applicable Project Design Criteria in accordance with the mandatory terms and conditions for the incidental take statement, as specified in the new Biological Opinion.

## **Decision**

My decision is to implement the actions proposed and analyzed under Alternative 3, and all associated Project Design Features (PDFs), as described in the Flounce Around EA. These PDFs were developed using the Best Management Practices identified in the *Medford District RMP* (p.151-175). The project is located on BLM-administered lands in T33S, R1E, Sections 1, 11, 23, 27, and 35; T33S, R2E, Sections 3, 4, 5, 8, 9, 17, 19, and 31; and T32S, R2E, Sections 32 and 33; Willamette Meridian, Jackson County, Oregon.

### **The forest management projects are:**

1. Structural Retention Regeneration harvest (SGFMA) on 12 acres.
2. Modified Even –Aged regeneration (NGFMA) on 6 acres.
3. Selection harvest on 139 acres.
4. Density management on 346 acres.
5. Improve and renovate 28 miles of road.
6. Construct 2.6 miles of temporary operator spur roads.
7. Partial decommission 1.0 miles of road.
8. Full decommission 0.5 miles of road.

## **Decision Rationale**

My decision to authorize the proposed action is in compliance with the *Medford District RMP*, dated April, 1995 and the *Northwest Forest Plan*, dated April, 1994 (EA p. 5). The proposed action complies with all applicable standards and guidelines. This action takes into consideration cumulative impacts of past harvesting and silviculture practices on nearby private and federal lands. All required Threatened and Endangered, Survey and Manage, and cultural surveys have been completed, and mitigations applied, where appropriate.

This action meets the Purpose and Need, identified in the EA (p. 1-3), to provide a sustainable supply of timber, reduce existing high stand densities within forested stands; insure the reestablishment of conifer and hardwood species and the retention of structural and habitat niches by prescribing treatments to forest stands with declining growth rates or are deteriorating due to disease or other factors; and improve water quality through road-related projects. Implementation of this project would assist in meeting the Medford District Allowable Sale Quantity (ASQ) and provide support to local communities, as addressed in the *Medford District RMP* and the *Northwest Forest Plan*. The Medford District annual ASQ is 57.1 million board feet of timber, as designated by the *Medford District RMP* (p. 10). The Butte Falls Resource Area portion of the annual ASQ commitment is 14.8 million board feet of timber. The Flounce Around Timber Sale will contribute approximately 3.2 million board feet of timber to the Medford District annual ASQ.

I did not select the No Action alternative because it did not meet the identified Purpose and Need for the project.

In the preparation of the EA, impacts of the proposed action were analyzed for the following issues: forest condition (dense and declining forest stands), fuels hazard reduction, and road-related sediment. Discussion of those impacts can be found in the EA available at the Medford District Office, 3040 Biddle Road, Medford, Oregon.

## **Public Involvement**

Public notification and involvement for the Flounce Around EA was initiated in December 2003. Scoping letters were sent to adjacent landowners and interested publics. The letter requested comments concerning issues that would be addressed in the EA. Seven responses were received. The following issues/concerns were received: harvesting large trees; hiking trails; bald eagles; general Environmental Assessment format; road construction, decommissioning, and repair; fuels reduction (acreage, location, and soil type); maps; coarse woody material; noxious weeds; and aquatic conservation. A formal public comment period for the EA was held October 2 through October 31, 2003. The BLM provided public notice of EA availability through newspaper notices in the *Medford Mail Tribune* and the *Upper Rogue Independent*.

## **Finding Of No Significant Impact (FONSI)**

Based on the effects discussed in the *Flounce Around EA*, I have determined Alternative 3, which I selected, is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR § 1508.27. Therefore, an Environmental Impact Statement is not necessary and will not be prepared. This finding is based on the following:

### **Context**

The *Medford District RMP* responds to the need for a sustainable supply of timber and other forest products that will help maintain the stability of local and regional economies, and contribute valuable resources to the national economy on a predictable and long term basis. It also responds to the need for a healthy forest and rangeland ecosystem with habitat that will contribute toward and support populations of native species, particularly those associated with late-successional and old growth forests (RMP p. 3).

The BLM manages 37 percent of the total analysis area is 21,380 acres. Timber harvest will occur within matrix lands which are identified as “federal land outside of reserves and special management areas that will be available for timber harvest at varying levels” (RMP p. 107). Within the Medford District, Matrix lands make up approximately 22 percent of the total land base. Approximately 42,800 acres (22%) of the Butte Falls Resource Area is designated as matrix. These lands are expected to provide a sustainable supply of timber to help support local economies and communities. The selected Alternative (Alternative 3) is a site-specific action treating 503 acres of BLM-administered lands.

The discussion of the significance that follows applies to the intended action and is within the context of local importance. Chapter 3 of the EA details the effects of the selected Alternative. None of the effects identified, including direct, indirect and cumulative effects, are considered to be significant and do not exceed those effects described in the *Final Medford District Proposed Resource Management Plan and Environmental Impact Statement* (1994).

Since implementation of the RMP, timber harvest on BLM-administered lands in the Lost Creek Watershed has included 168 acres of regeneration harvest, 147 acres of commercial thinning, and 685 acres of mortality salvage. The mortality salvage was completed after a 1996 windstorm which caused widespread windthrown trees throughout the watershed. These harvest activities occurred on Matrix lands and implemented Riparian Reserve buffers, green tree retention (larger remnant trees) in regeneration harvest units, and coarse woody debris retention, as directed by the RMP. Approximately 500 acres of BLM-administered land was treated for hazardous fuels in 2004 to provide a defensible space within the Wildland Urban Interface (WUI).

It is also expected, within the next 5 to 10 years, commercial logging will occur on industrial forest lands in stands with an average diameter of 8 inches and greater. The number of acres on these lands that would be treated is unknown. Noncommercial treatments, such as brushing and precommercial thinning, may occur on BLM-administered lands.

## Intensity

I have considered the intensity of the impacts anticipated from the Flounce Around Timber Sale relative to intensity or severity of impacts described in 40 CFR § 1508.27 (b).

- 1. Impacts that may be both beneficial and adverse.** The assessment has considered both beneficial and adverse impacts. None of the effects identified in Chapter 3 of the EA are considered significant or outside the effects described in the *Final Medford District Proposed Resource Management Plan and Environmental Impact Statement* (PRMP)(1994) to which this EA is tiered.
- 2. The degree to which the selected alternative will affect public health or safety.** No aspects of the project have been identified as having potential to significantly and adversely impact public health or safety.
- 3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.** There are no prime farm lands, wild and scenic rivers or ecologically critical areas within the Project Area. The project area is near Lost Creek Lake, a heavily used recreation area. This project is consistent with the Visual Resource Management (VRM) Class II management objectives, as analyzed in the *Medford District PRMP*.
- 4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of the selected alternative are described in Chapter 3 of the EA. The Interdisciplinary Team did not identify any effects likely to be highly controversial that have were not previously discussed in the *Medford District RMP* and the *Northwest Forest Plan*.
- 5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The analysis does not show that this action would involve

any unique or unknown risks outside of those addressed and anticipated in the *Medford District RMP* and the *Northwest Forest Plan*.

**6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about future considerations.** The action and the decision will not set any precedents for future actions with significant effects. It is one of many similar projects designed to implement the *Medford District RMP* and the *Northwest Forest Plan*.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** Analysis was conducted for this project and no significant cumulative impacts were identified outside those addressed and anticipated in the *PRMP* and the *Northwest Forest Plan*. Analysis was performed at multiple scales and included current conditions and foreseeable future actions.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss of destruction of significant scientific, cultural or historical resources.** The project area was surveyed for cultural and historic resources. The proposed action will not affect objects listed on the National Register of Historic Places, nor is it expected to cause destruction of significant scientific, cultural, or historical resources.

**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** The Flounce Around EA includes project design features that preclude adverse impacts on Endangered Species Act (ESA) listed species. ESA consultation with the USFWS was completed, and included in the *Rogue River/South Coast Biological Opinion for Medford District, Bureau of Land Management, Rogue River and Siskiyou National Forests*, Biological Opinion (FWS) 1-15-03-F-511, dated 20 October 2003 for Botany. A letter of concurrence from NOAA Fisheries was received April 1998. NOAA concurs with the BLM determination that the proposed project is “not likely to adversely affect” (NLAA) Southern Oregon/Northern California coho salmon. ESA consultation with the USFWS for wildlife was completed and is included in *Biological Opinion on Medford District BLM FY 2006-2008 Management Activities* (FWS Reference Number 1-15-06-F-0162), dated 21 August 2006.

**10. Whether the action threatens a violation of Federal, State, or Local law or requirements imposed for the protection of the environment.** The selected alternative does not violate any known Federal, State, or local environmental protection laws. Project Design Features are included to ensure compliance with Oregon Department of Environmental Quality water quality objectives. Furthermore, the selected alternative is consistent with applicable land management plans, policies, and programs.

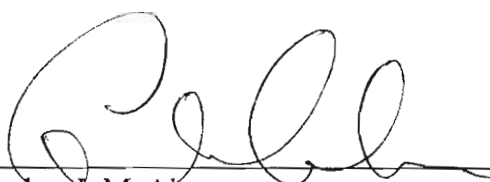
## **Administrative Remedies**

This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this Decision. Administrative recourse is available in accordance with BLM regulations and must follow the procedures and requirements described in 43 CFR § 5003 - Administrative Remedies.

In accordance with the BLM Forest Management Regulations 43 CFR § 5003.2(a and b), the effective date of this decision, as it relates to an advertised timber sale, will be when the first Notice of Sale appears in a newspaper of general circulation in the area where the lands affected by the decision are located. This newspaper is the *Medford Mail Tribune*. Publication of the first Notice of Sale establishes the effective date of the decision. The effective date of this decision establishes the initiation of the protest period provided for in accordance with 43 CFR § 5003.3. Any protest must be submitted in a signed, hard copy delivered to the physical address of the advertising BLM office, 3040 Biddle Road, Medford, Oregon, 97504.

### **Contact Person**

For additional information, contact Jean Williams at 541-618-2385.

  
\_\_\_\_\_  
Christopher J. McAlear  
Field Manager  
Butte Falls Resource Area

8/23/06

\_\_\_\_\_  
Date